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November 9, 2023

VIA ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: *Kitchen Winners NY Inc. v. Rock Fintek LLC*, Case No. 22-cv-05276-PAE
**ASSENTED TO Letter Motion for Brief Extension to Respond to JNS
Parties Request for Summary Judgment.**

Dear Judge Engelmayer:

This firm represents Rock Fintek LLC. Rock Fintek writes with the assent of JNS Capital Holdings LLC and Joel Stern ("JNS Parties") to ask for a brief extension to respond to the JNS Parties' request for a pre-motion conference to file a motion for summary judgment. The JNS Parties filed their letter on November 3, 2023. Pursuant to paragraph 3.H of Your Honor's Individual Practices, Rock Fintek's response would be due this Friday, November 10, 2023. Rock Fintek requests a brief extension because:

- 1) The close of fact discovery in this case is November 16, 2023, and parties have multiple depositions scheduled next week, including Ascension Health, Medline, Mr. Weiner, and Mr. Maimon, who may provide evidence pertinent to JNS Parties' partial summary judgment request; and
- 2) as previously disclosed, lead counsel for Rock Fintek is in the middle of a week-long arbitration at JAMS in Boston.

Accordingly, Rock Fintek, *with the assent of* counsel for the JNS Parties, respectfully requests that the Court allow the sought extension to respond to the JNS Parties request to file a motion for summary judgment through November 24, 2023. Good cause exists for this request.

Respectfully submitted,

/s/Phillip Rakhunov
Phillip Rakhunov

cc: All counsel (via ECF)